

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

LONESTAR AIRPORT HOLDINGS, LLC,

Plaintiff,

v.

CITY OF AUSTIN, TEXAS,

Defendant.

Civil Action No. 1:22-cv-00770-RP

EXHIBIT LIST

Pursuant to Local Rule CV-7(C)(1), Lonestar Airport Holdings, LLC (“Lonestar”) hereby identifies that the following exhibits are appended to its concurrently filed Motion for Preliminary Injunction:

Exhibit Letter:	Exhibit Name:
A	<p>Declaration of James D. Burchetta (“Burchetta Decl.”)</p> <p>1 South Terminal Lease and Concession Agreement, by and between the City of Austin and Highstar Capital IV, L.P. (dated March 24, 2016)</p> <p>2 Assignment and Assumption Agreement, by and between Highstar Capital IV, L.P. and Lonestar Airport Holdings, LLC (dated March 24, 2016)</p> <p>3 Letter from J. Yaft to J. Burchetta, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (South Terminal Lease),” (dated November 7, 2019)</p> <p>4 Letter from J. Burchetta to J. Yaft, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (the “Airport”) dated March 24, 2016 between the City of Austin (the “City”) and Highstar Capital IV, L.P. (“Highstar”) (the “Lease”),” (dated November 13, 2019)</p> <p>5 Letter from J. Yaft to J. Burchetta, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (South Terminal Lease),” (dated January 27, 2020)</p>

	<p>6 Letter from J. Yaft to J. Burchetta, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (Airport),” (dated February 14, 2020)</p> <p>7 Letter from J. Burchetta to J. Yaft, titled “South Terminal Lease and Concession Agreement (the “Lease”),” (dated February 14, 2020)</p> <p>8 Letter from J. Yaft to J. Burchetta, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (South Terminal Lease),” (dated March 3, 2020)</p> <p>9 Letter from J. Burchetta to J. Yaft, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (the “Airport”) dated March 24, 2016 between the City of Austin (the “City”) and Highstar Capital IV, L.P. (“Highstar”) (the “Lease”),” (dated March 6, 2020)</p> <p>10 Letter from J. Yaft to S. Litman and T. Molz, titled “South Terminal Lease and Concession Agreement at Austin-Bergstrom International Airport (“AUS”) dated March 24, 2016 between the City of Austin (the “City”) and LoneStar Airport Holdings, LLC (“LoneStar”) (the “Lease”),” (dated July 13, 2021)</p>
B	<p>Declaration of Jeffrey Pearse (“Pearse Decl.”)</p> <p>1 Photos of South Terminal Before, During, and After Renovation by Lonestar</p> <p>2 Letter from J. Yaft to T. Sorenson of Frontier Airlines, titled “South Terminal at Austin-Bergstrom International Airport (AUS),” (dated November 7, 2019)</p> <p>3 Letter from J. Pearse to J. Yaft, titled “South Terminal Lease and Concession Agreement by and between the City of Austin and Highstar Capital IV, L.P. dated as of March 24, 2016, as amended by the Assignment and Assumption Agreement between Highstar Capital IV LP and Lonestar Airport Holdings, LLC (“Lonestar”) and consented to by the City of Austin dated as of March 24, 2016 (the “Concession”),” (dated July 28, 2021)</p> <p>4 Letter from T. Forestier to J. Pearse, titled “INITIAL OFFER Project: AUS South Terminal,” (dated March 29, 2022)</p> <p>5 Letter from T. Forestier to J. Pearse, titled “FINAL OFFER Project: AUS South Terminal,” (dated May 16, 2022)</p> <p>6 Letter from J. Yaft to J. Milewski of ClearedDirect, LLC, (dated March 25, 2022)</p>

	<p>7 Letter from J. Yaft to S. Shallcross of Happy Goods, Inc., (dated March 25, 2022)</p> <p>8 City of Austin “Official Statement Dated April 26, 2022”</p>
C	<p>Declaration of Christopher M. Clough (“Clough Decl.”)</p> <p>1 Letter from C. Clough to T. Forestier, titled “Purported Eminent Domain Taking from Lonestar Airport Holdings, LLC, of its Rights at Austin Bergstrom International Airport (“AUS”) – Response to March 29, 2022 Initial Offer Letter,” (dated April 27, 2022)</p> <p>2 Letter from T. Forestier to C. Clough, titled “Your April 27, 2022 Letter on behalf of LoneStar Airport Holdings, LLC (‘LoneStar’) in response to the City of Austin’s Initial Offer Letter dated March 29, 2022,” (dated May 11, 2022)</p> <p>3 City of Austin, Texas (“Plaintiff”) “Original Statement and Petition for Condemnation,” filed in Travis County, Texas Probate Court (dated June 17, 2022)</p> <p>4 Travis County Probate Court “Order Appointing Special Commissioners,” (dated July 13, 2022)</p>

Dated: September 1, 2022

Respectfully submitted,

/s/ Edward F. Fernandes

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